



September 13, 2018

Michigan Liquor Control Commission
PO Box 30005
Lansing, MI 48909

Re: Request for Declaratory Judgement

MLCC,

In the State of Michigan, certain parcels of real property are subject to what is commonly known as "425 Agreements", whereby the parcel is physically located in one municipality, but local government services to that parcel are provided by an adjoining municipality in accordance with Act 425 of the Public Acts of Michigan of 1984, as amended, MCL 124.21 *et seq.* In some instances, a 425 Agreement may also provide for the assignment by the physical location municipality to the service providing municipality of a portion of its quota for beer and liquor licenses, but in other instances, the 425 Agreement is silent.

We are requesting clarification regarding the latter scenario. If a 425 Agreement is silent regarding the assignment of MLCC license quota, is the availability of license quota determined using the municipality where the property physically resides or the municipality from whom the property receives services? If the availability of license quota is determined based upon the municipality from where the property receives services, which services are dispositive (i.e. police, utilities, sewage, etc)?

Thank you.

MEIJER


Benjamin Anderson
Corporate Counsel

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